IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6739 OF 2006

Sushilkumar Bhalia
& Anr. .. Petitioners.

vs.

Rajesh Shetty & Ors. .. Respondents.

Mr. Sanjeev Singh for petitioners.
Mr. K.S. Patil for Respondent Nos. 1 to 3.

CORAM : A.P. DESHPANDE, J.

DATE : 15th November, 2006.

P.C.

. In Proceeding under the powers vested in the Assistant Registrar under Section 78, the Managing Committee of the society was superseded and in its place the present two petitioners and one more person was appointed as members of the Board of Administrators for a period of six months by an order dated 28.7.2006. At a later point of time by an order dated 3.10.2006 instead of the Board of Administrators, the Asstt. Registrar appointed a government officer as an Administrator with a view to have elections held under him. The administrator has proceeded to conduct the elections wherein the

managing committee members are elected. By the present petition, the member of the Board of Administrators are challenging the legality of the order of removing them and appointing administrator. The petitioners do not have any vested right to remain in Board of Administrators. Rather the petitioners have no right and locus. Even otherwise as the election of the managing committee is already held, no interference with the order impugned is called for.

2. At this stage, the learned counsel for the petitioners submits that the election held by the administrator is not properly and lawfully conducted. If they are aggrieved thereby, the petitioners shall be free to approach the appropriate forum calling in question the legality of the election. The petition is summarily dismissed.

(A.P. Deshpande, J.)